REMARKS

Claims 1-11 were pending prior to the Office Action. Claim 8 has been canceled and claims 1, 2, 5-7, and 9-11 have been amended through this Reply. Therefore, claims 1, 2-7, and 9-11 are pending. Claims 1, 9, 10, and 11 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks and amendments.

RESTRICTION REQUIREMENT

The Examiner has required election in the present application between:

Group I, claims 1-8, drawn to a system for regulating a quantity based on a deviation; and

Group II, claims 9-11, drawn to a method/device of controlling/regulating a quantity (a period/a frequency) of a vehicle.

Applicants respectfully submit that the restriction required by the Examiner is moot in view of the amendments. Specifically, amended independent claims 1 and 9-11 now recite subject matter that is within an application for a ship. Therefore, Group I and Group II are related as regulating a quantity (the heading) on **same** application (for a ship) **not** on different applications ("an inflation rate that is controlled by Federal Reserve Bank") as alleged by the Examiner. Therefore, it is respectfully requested to withdraw the restriction requirement. However, if the Examiner continues maintain her restriction requirement, for the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-7.

35 U.S.C. § 112, 2ND PARAGRAPH REJECTION

Claims 1, 3-7 and 9-11 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Initially, Applicants disagree with the Examiner's assertion that the claims do not explain or elaborate what kind of method/system controls a behavior of varying period and frequency. Applicants respectfully submit that the Examiner's focus during examination for compliance with the requirement of definiteness in § 112, 2nd paragraph is whether the claim meets the threshold requirements of clarity and precision. To do this, the Examiner needs only ensure that the claims define the invention with a reasonable degree of particularity and distinctness. See MPEP § 2173.02. Just because there are many existing systems and methods that control period and frequency of behavior for certain subsystem, do not render the present claims indefinite.

Although Applicants do not necessarily agree with the Examiner's assertion of indefiniteness, Applicants have amended claims 1, 6, and 9-11 to include, *inter alia*, ". . . **behaviors of a specific kind performed by the ship**" in order to expedite prosecution. Accordingly, Applicants respectfully request that the Section 112, second paragraph rejection of claims 1, 3-7, and 9-11 be withdrawn.

CONCLUSION

All rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance.

MKM/AMI/kpc

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam, Registration No 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 19, 2006

Respectfully submitted,

By _____ #39,491
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